

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

Superclub Ibiza, LLC
t/a Ibiza
1222 First Street NE
Retailer CN
License No. 74456

Show Cause
Hearing
(Status)

Case No. #14-251-00308
15-251-00004

May 13, 2015

The Alcoholic Beverage Control Board
met in Alcoholic Beverage Control Hearing Room,
Reeves Building, 2000 14th Street N.W.,
Washington, D.C., Chairperson Ruthanne Miller
presiding.

PRESENT:

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
MICHAEL SILVERSTEIN, Member

HECTOR RODRIGUEZ, Member

JAMES SHORT, Member

1 P-R-O-C-E-E-D-I-N-G-S

2 (10:04 a.m.)

3 CHAIR MILLER: Okay. The next case on
4 our calendar is case numbers 14-251-00308 and 15-
5 251-00004 of Ibiza located at 1222 1st Street
6 Northeast, License number 74456 in ANC 6C.

7 MR. RIVERO: Good morning, my name is
8 Fernando Rivero for the District of Columbia.

9 CHAIR MILLER: Good morning.

10 MR. BIANCO: Good morning, Madam
11 Chair, Members of the Board. Richard Bianco on
12 behalf of the Licensee.

13 MR. TRUONG: Good morning, Aldo
14 Truong, managing member of Ibiza.

15 CHAIR MILLER: Okay, good morning.
16 Mr. Bianco, did your client receive notice of the
17 hearing?

18 MR. BIANCO: Yes.

19 CHAIR MILLER: Read it, understood it?

20 MR. BIANCO: Correct.

21 CHAIR MILLER: Okay, no notice issues
22 then as to this hearing?

1 MR. BIANCO: Right, there's no notice
2 issues.

3 CHAIR MILLER: All right. Mr. Rivero,
4 any preliminary matters?

5 MR. RIVERO: We do have actually an
6 offer of compromise to present to the Board at
7 this time to resolve the instant case. By way of
8 background, this case was actually in progress,
9 and the Government elected to amend the notice to
10 show cause to add an additional case, which is
11 why this is a combined case.

12 Today's hearing was supposed to be the
13 show cause hearing of the prior case, but it was
14 simply converted as a status hearing since the
15 Government amended the notice.

16 The establishment is in bankruptcy.
17 And the establishment is not operating. The
18 offer in compromise term is contingent on
19 confirmation that the Agency does not in fact
20 currently possess the license.

21 There was a cease and desist order
22 issued, and I'm currently just trying to confirm

1 whether the license is physically here. Okay,
2 I've just been told that that's not the case. So
3 it's at the property.

4 CHAIR MILLER: Okay.

5 MR. RIVERO: Given that the license is
6 at the property, the OIC is as follows, the
7 Licensee will surrender the license for
8 cancellation by close of business on Friday.

9 The Licensee needs to gain access to
10 the property, so we've agreed that by close of,
11 no later than close of business on Friday, the
12 license will be surrendered for cancellation.

13 CHAIR MILLER: So the terms of the
14 offer in compromise are that no later than close
15 of business Friday, this Friday the 15th?

16 MR. RIVERO: Correct, March 15.
17 Correct.

18 CHAIR MILLER: May 15th.

19 MR. RIVERO: May 15th, right.

20 CHAIR MILLER: The license will be
21 surrendered for cancellation?

22 MR. RIVERO: Correct.

1 CHAIR MILLER: Surrendered to ABRA?

2 MR. RIVERO: Yes. Not for

3 safekeeping, for cancellation.

4 CHAIR MILLER: For cancellation, okay.

5 Okay, Mr. Bianco, does your client agree to an

6 offer in compromise of surrendering the license

7 for cancellation by close of business this

8 Friday, May 15th?

9 MR. BIANCO: Yes, we do.

10 CHAIR MILLER: Okay. Any questions by

11 Board members? All right, then I would move that

12 we approve this offer in compromise that the

13 Licensee will surrender the license for

14 cancellation by close of business this Friday,

15 May 15th.

16 MEMBER SHORT: Second.

17 CHAIR MILLER: Mr. Short has seconded

18 the motion. All those in favor, say aye.

19 (Chorus of ayes)

20 CHAIR MILLER: All those opposed?

21 (No response)

22 CHAIR MILLER: All those abstaining?

1 (No response)

2 CHAIR MILLER: Motion passes six,
3 zero, zero. Okay.

4 MR. RIVERO: Thank you.

5 CHAIR MILLER: Thank you.

6 MR. BIANCO: Thank you.

7 (Whereupon, the hearing in the above-
8 entitled matter was concluded at 10:08 a.m.)

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A a.m 2:2 6:8 ABRA 5:1 abstaining 5:22 access 4:9 add 3:10 additional 3:10 Agency 3:19 agree 5:5 agreed 4:10 ALBERTI 1:16 Alcoholic 1:2,12,12 Aldo 2:13 amend 3:9 amended 3:15 ANC 2:6 approve 5:12 aye 5:18 ayes 5:19	contingent 3:18 Control 1:2,12,12 converted 3:14 Correct 2:20 4:16,17,22 currently 3:20,22 D D.C 1:13 desist 3:21 District 1:1 2:8 DONALD 1:16 E elected 3:9 entitled 6:8 establishment 3:16,17	managing 2:14 March 4:16 matter 1:5 6:8 matters 3:4 MEETING 1:3 member 1:16,16,17,18 1:19 2:14 5:16 members 2:11 5:11 met 1:12 MICHAEL 1:17 Miller 1:13,15 2:3,9,15 2:19,21 3:3 4:4,13,18 4:20 5:1,4,10,17,20 5:22 6:2,5 morning 2:7,9,10,13,15 motion 5:18 6:2 move 5:11	resolve 3:7 response 5:21 6:1 Retailer 1:7 Richard 2:11 right 3:1,3 4:19 5:11 Rivero 2:7,8 3:3,5 4:5 4:16,19,22 5:2 6:4 RODRIGUEZ 1:18 Room 1:12 Ruthanne 1:13,15
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